

# 40 WEEKS EARL BLUMENAUER #5 Ending Corporate Personhood 40 IDEAS

## Background

In the final three months of 2011, the campaign to re-elect President Obama and the Democratic National Committee raised \$68 million -- an impressive sum, all the more impressive because it was donated by 583,000 Americans who gave an average of \$55 each.

But earlier this month at a retreat at the exclusive Renaissance Esmeralda resort in California, the conservative billionaire Koch brothers said they would donate a combined \$60 million to Super PACs to defeat President Obama. Two billionaire brothers with opinions radically at variance with most of America are poised to cancel out the efforts of half a million American citizens.

To understand this gross perversion of the political process, we don't have to wait until the general election and the avalanche of negative campaign ads against the president. We can look right now at the primary election for the Republican presidential nomination, where we have seen a handful of billionaires and Super PACs outspend all of the Republican candidates and help turn that contest into a circus. The sad reality is the Super PACs have shaped the nominating contest more than the candidates.

That's the way it's been since the Supreme Court's tragic decision in *Citizens United*, which overturned a century of settled law and opened this floodgate of unlimited campaign spending, drowning out small donors and the individual citizens that most of us learned in school were the cornerstone of our democracy. This Supreme Court ruling was based on the perverse idea that the court's out-of-touch majority somehow felt corporations should enjoy the same constitutional rights as people.

This threatens the integrity of the political process, not just from the appearance of corruption but actually blatantly distorting the process. As companies and sham independent organizations that are actually run by candidates' friends and employees blanket the airwaves with an avalanche of vicious negative advertising, now somehow they're protected under a First Amendment right to free speech which would be beyond the comprehension of our founding fathers.

### Solution

**Corporations are not people.** I proudly cosponsor several constitutional amendments that explicitly state that the rights of natural persons may only be afforded to natural persons—not corporations—and that clarify the authority of Congress and the States to regulate campaign contributions.

*H.J. Res. 72*, giving Congress and the States the authority to regulate campaign contributions;

*H.J. Res. 78*, giving Congress and the States the authority to regulate corporate campaign contributions;

*H.J. Res. 88*, declaring the rights protected by the Constitution to be the rights of natural persons and giving Congress and the States the authority to regulate campaign contributions; and

*H.J. Res. 90*, expressly excluding for-profit corporations from the Constitutional rights afforded to natural persons, prohibiting corporate spending in all political campaigns, and giving Congress and the States the authority to regulate campaign contributions.

**Unfettered corporate influence in our democracy will not be tolerated.** I cosponsor two bills that would shed light on corporate campaign spending and strengthen the public's voice in our elections.

H.R. 4010, the *DISCLOSE 2012 Act*, would:

- Require all corporations, unions, other outside groups and Super PACs to report to the Federal Elections Commission within 24 hours of making a \$10,000 campaign expenditure
- Require corporations, Super PACs, and other outside groups to stand by their advertisements by saying that they “approve this message”
- Require campaign-related spending disclosure to shareholders and organization members
- Require lobbyists to disclose political expenditures in conjunction with their lobbying activities

H.R. 1404, the *Fair Elections Now Act* would:

- Limit contributions to under \$100
  - Provide House candidates a base subsidy of 80% of the national average of spending by winning House candidates (about \$1.1 million in 2010)
  - Provide a 500% match of small contributions of \$100 or less raised from individuals
- Provide a 500% matching contribution for small dollar campaign donations

The Supreme Court's decision on *Citizens United* was based on fantasies: the fantasy that vast sums of hidden, special-interest money are not inherently corrupting to the political process; the fantasy that corporations should be afforded all the rights of individual citizens; and the fantasy that Super PACs run by individuals who are the closest of allies, friends, and employees of candidates are somehow independent of their campaigns.

What is not a fantasy is what we see right now on the political landscape: the terrifying effect of Super PACs and the flood of money hopelessly distorting campaigns. We should all fight to change it.

[<Previous Idea](#)  
[Next Idea>](#)

